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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/710,727	07/30/2004	Masuhiko Natsuhara	39.047	4726
29453	7590	08/31/2006		
JUDGE & MURAKAMI IP ASSOCIATES DOJIMIA BUILDING, 7TH FLOOR 6-8 NISHITEMMA 2-CHOME, KITA-KU OSAKA-SHI, 530-0047 JAPAN			EXAMINER CHANDRA, SATISH	
			ART UNIT 1763	PAPER NUMBER
DATE MAILED: 08/31/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/710,727

Applicant(s)

NATSUHARA ET AL.

Examiner

Satish Chandra

Art Unit

1763

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8/25/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-8 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

This application contains claims directed to the following patentably distinct species: of the claimed invention. The species are distinct because they show different techniques of electrode connections.

Species 1: (Fig 1, 3-6 and 15) Ceramic heater block wherein different connection methods are depicted for connecting electrode (s) to the electro conductive component. Electrode is screwed directly into the susceptor.

Species 2: (Figs 2 and 9-12) Ceramic heater block wherein different connection methods are depicted for connecting electrode (s) to the electro conductive component. Electrode is brazed to the electro conductive component

Species 3: (Figs 3-6, 9-12 and 15) Ceramic heater block wherein different connection methods are depicted for connecting electrode (s) to the electro conductive component. Electrode connection is sealed off with glass and ceramic joint ring so as not to expose electro conductive component.

Species 4: (Figs 4, 10 and 15) Ceramic heater block wherein different connection methods are depicted for connecting electrode (s) to the electro conductive component. Tubular pieces encompass electrode (s), not joined to the susceptor.

Species 5: (Figs 5 and 11) Ceramic heater block wherein different connection methods are depicted for connecting electrode (s) to the electro conductive component.

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Tubular pieces are joined to the ceramic heater block and an inert atmosphere is provided

Species 6: (Figs 6 and 12) Ceramic heater block wherein different connection methods are depicted for connecting electrode (s) to the electro conductive component. Tubular pieces encompassing electrodes are joined both to the susceptor and to the chamber wall.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claim 1 appears to be generic to species 1.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the

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requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

Conclusion

Any Inquiry concerning this communication should be directed to Satish Chandra at (571) 272-3769. The examiner can normally be reached on Monday through Friday from 7:00 a.m. to 5:00 p.m.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Parviz Hassanzadeh can be reached at 571-272-1435. The fax number for the organization where this application or proceeding is assigned is 703-273-8300

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for the published applications may be obtained from either Private PAIP or Public PAIR. Status information for the unpublished applications is available thorough Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any question (s) on accessing to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Satish Chandra


Parviz Hassanzadeh
Supervisory Patent Examiner
Art Unit 1763